IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.6326 OF 2006.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : A.H.JOSHI AND
R.C.CHAVAN, JJ.

DATED : FEBRUARY 13, 2007.

1. Learned Advocate Shri Jibhkate states that in view that the impugned order is withdrawn, as stated by learned A.G.P., he intends to withdraw the petition. However, he has some apprehension, namely, that the management or the Education Officer will not punctually act and it will result in disregarding the rights of senior teachers and ultimately the school will suffer.

2. The management will have to take steps to fill in the post of Head Master according to the rules, following judgment of the full bench in case of *New English High School Association Vs. Baldev*, reported at **2006(6) Mh.L.J. 882** question of

approval would follow thereafter.

3. In absence of respondent No.4 before this Court, it would not be possible to give any directions, however, at this stage, the Court expresses that the management would act punctually since it is under statutory obligation to fill in the vacant post of Head Master punctually.

4. Needless to mention that the Education Officer would take necessary decision punctual as and when the proposal is received.

5. In view of above observation, the learned Advocate Shri Jibhkate seeks liberty to withdraw the petition. The petition is, therefore, dismissed as withdrawn with above observations.

6. In view of above, Civil Application No.256 of 2007 does not survive, hence, disposed of.

JUDGE. **JUDGE.**

RR.